IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Lisa J. Prosser, Senior Deputy Clerk.

F039438   **People v. DeLaCerda**
    Cause called and argued by Eric Weaver, Esq., counsel for appellant and by Brian Alvarez, Esq., Deputy Attorney General, counsel for respondent.

    Cause ordered submitted.

Court recessed until Thursday, May 22, 2003 at 11:00 A.M.

F039577   **People v. Thomas**
    Appellant Thomas's convictions in counts III and V are reduced to second degree burglary; the sentence imposed is vacated and the matter remanded to the trial court for resentencing. In all other respects, the judgment is affirmed. Harris, J.

    We concur: Dibiaso, Acting P.J.; Wiseman, J.

    [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039835   **People v. Jimenez**
    Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039835   **People v. Jimenez**
    The judgment is affirmed with modifications.

    By the Court.

    [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F042839   **In re the Marriage of Jolyn and Peter Valladares**
Appellant having failed to perform the acts necessary to procure the record after the clerk of the trial court issued notice pursuant to the provisions of rule 8(a)(1), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F040399   **People v. Virk**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040399   **People v. Virk**
The judgment of conviction is reversed solely as to violating a domestic relations protective order. The sentence is vacated and the matter is remanded for resentencing. The trial court is directed to issue an abstract of judgment so amended and to forward certified copies of the amended abstract of judgment to appropriate persons. Virk has no right to be present for the amendment of the abstract of judgment. [Citation]

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F042547   **David S. v. Superior Court of Stanislaus Co.; Stanislaus Co. Community Services Agency**
The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

Court of Appeal of the State of California

Fifth Appellate District

F039880   **People v. Laws, Jr.**
　　　　Appellant Law's conviction in count V is reduced to second degree burglary; the sentence imposed is vacated and the matter remanded to the trial court for resentencing. In all other respects, the judgment is affirmed.   Harris, J.

　　　　We concur: Dibiaso, Acting P.J.; Wiseman, J.

　　　　[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039190   **People v. Jahnigen**
　　　　The special circumstance finding is reversed. The matter is remanded to the trial court for retrial of the special circumstance and resentencing thereafter. If the People decide not to retry the special circumstance, then the trial court shall resentence defendant. In all other respects the judgment is affirmed. Vartabedian, Acting P.J.

　　　　We concur: Buckley, J.; Gomes, J.

　　　　[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041137
F041141   **Specialized Equipment et al. v. Vote et al.**

　　　　Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F042243   **People v. Molina**
　　　　No brief having been filed by appellant after notice duly given under rule 37(b) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.